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OFFICE OF PETITIONS

In re Application of
LILLBACKA et al.
Application No. 09/836,199
Filed: April 18, 2001
Attorney Docket No. 0103/0070

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed November 12, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to a Notice to File Corrected Application Papers mailed May 4, 2001, which set a period for reply of two (2) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Outside any regulatory period for response set forth in 37 CFR 1.136(a) to the Notice of May 4, 2001, subsequent Notices to File Corrected Application Papers were mailed to the Applicants' representative. Consistent with Lorenz v. Finkl, 142 USPQ 26, 30 (CCPA 1964), these subsequent actions by the Office do not rescue the application from abandonment. Accordingly, the application became abandoned on July 5, 2001.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of drawings in compliance with 37 CFR 1.84; (2) the petition fee of \$685; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice of May 4, 2001 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Denise Pothier at (571) 272-4787.

The application matter is being forwarded to Office of Initial Patent Examination.

Brian Hearn
Petitions Examiner
Office of Petitions